

REMARKS/ARGUMENTS

A rewritten abstract has been provided.

In the specification, the paragraph beginning at page 2, line 10 has been amended to to correct an informality. No new matter has been added.

In claim 1, line 6 has been amended by deleting "condition" and inserting "position" to provide proper antecedent basis.

In claim 1 line 7 has been amended by deleting "condition" and inserting "position" to provide proper antecedent basis.

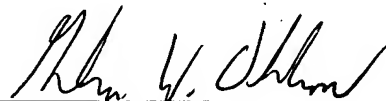
The Examiner has rejected claim 1 as being anticipated by U.S. Patent No. 5,996,991 (Dirx et al.). Applicant respectfully submits that Dirx et al. does not disclose all the limitations of claim 1. First, Dirx et al. discloses a paper magazine (11) having a lid (64) hingedly connected to a thermal printing apparatus. Although the magazine (11) could be considered a sheet feeder, Dirx et al. does not disclose a sheet transport. Rather, Dirx et al. discloses a path (40) for a sheet past a thermal head (16). Next, claim 1 requires "the sheet feeder to be hinged upwardly to a non-operable position." Assuming that the paper magazine (11) of Dirx et al. could be considered a paper feeder, which it is not, the hinged-upward position is its operable position, not the non-operable position required by claim 1. Finally, claim 1 requires that the sheet feeder in the hinged upward non-operable position "allow access to a sheet transporting assembly." Even if the printer of Dirx et al. could be considered a transport assembly, which it is not, when the magazine (11) with its lid (64) is in the upward position, the lid (64) closes, preventing access to any of the components within the housing (10). Therefore, there is no access to any component when the magazine in the hinged-upward position. Since Dirx et al. does not disclose all the limitations of claim 1, claim 1 is not anticipated.

The Examiner has also rejected claim 1 as anticipated by Japanese Publication No. 4-303350 ("the '350 Publication"). It is Applicant's belief that the reference cited does not anticipate claim 1. The Examiner cites to reference number 104 in the '350 Publication as being a sheet transport. Reference number 104 is depicted as a box partially surrounding a paper feed base. As depicted in Figs. 2 and 3, it is impossible to determine operation of structure 104. However, structure 104 does not appear to have any means for transporting a sheet, and therefore it is unlikely that structure is a sheet transport. Furthermore, a copy of an English translation of the abstract (attached hereto) makes no mention of a sheet transport or to reference number 104. When a foreign-language document is relied upon in support of a rejection, an English translation is required so that the precise facts are clear. MPEP § 706.02. Since no English translation of the '350 Publication was provided, and based upon Figs. 2 and 3 along with the English translation of the abstract, it is unclear what structure 104 actually is. It is Applicant's position that the '350 Publication does not disclose every limitation of claim 1 and therefore does not anticipate claim 1.

In light of the foregoing, Applicant believes that claim 1 is allowable under 35 U.S.C. §§ 112, and 102. Therefore, the Examiner is respectfully requested to withdraw the rejections set forth in the Office Action of March 16, 2005 and allow these claims to pass onward to allowance.

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Respectfully submitted,



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